SIKKIM

GOVERNMENT GAZETTE

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GOVERNMENT OF SIKKIM
DEPARTMENT OF PERSONNEL
GANGTOK

No. 138/GEN/DOP **Dated: 12/11/2025**

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and in compliance with the direction of Hon'ble Supreme Court of India vide its judgment dated 20th May, 2025 in I.A. No.93974 of 2019 with I.A. Nos. 72900, 73015 and 40695 of 2021 with I.A. Nos.50269 and 201893 of 2022 in Writ Petition (C) No. 1022 of 1989 in the matter of All India Judges Association and Others versus the Union of India and Others , the Governor of Sikkim in consultation with the High Court of Sikkim hereby makes the following rules further to amend the Sikkim Judicial Service Rules, 1975, namely:-

Short title and commencement

1. (i) These rules may be called the Sikkim Judicial Service (Amendment) Rules, 2025.

(ii) They shall come into force at once.

Amendment of rule 3

2. In the Sikkim Judicial Service Rules, 1975, (hereinafter referred to as the "said rules", in rule 3, after sub rule (ii), the following sub-rule (iii) shall be inserted, namely:-

"(iii) (a) 10% (ten per cent) of the posts in the cadre of Civil Judge (Senior Division) shall be reserved for accelerated promotion of Civil Judge (Junior Division) candidates through Limited Departmental Competitive Examination (LDCE) mechanism. The minimum qualifying service required for appearing in the Limited Departmental Competitive Examination (LDCE) shall be 3 (three) years' service as Civil Judge (Junior Division);

(b) filling up of the vacant posts in the ratio considered for Limited Departmental Competitive Examination (LDCE) shall be carried out through the simultaneous selection process carried out for regular promotions in the same year;

(c) if any post reserved for Limited Departmental Competitive Examination (LDCE) for Civil Judge (Senior Division) remains

vacant, the same shall be filled through regular promotion on the basis of 'merit-cum-seniority' in that particular year;

(d) the vacancies for LDCE shall be calculated on the basis of cadre strength."

Amendment of rule 4

3. In the said rules, in rule 4, in sub-rule (1) ,after clause (e), the following clauses shall be inserted, namely:-

"(f) the candidate must have practiced as an advocate for a minimum period of 3 (three) years;

(g) the candidate shall submit a certificate of 3 (three) years practice, duly certified either by the Principal Judicial Officer of that Court, or by an advocate of that Court having a minimum standing of 10 (ten) years, duly endorsed by the Principal Judicial Officer of the respective District ;

(h) for those candidates who are practicing before the High Courts or the Supreme Court of India, they shall be certified by an advocate having a minimum standing of 10 (ten)years, duly endorsed by an officer designated by the respective High Court or Supreme Court;

(i) the experience gained by the candidates while working as Law Clerks with any of the Judges or Judicial Officers in the country shall also be considered while calculating their total number of years of practice;

(j) the number of years of practice completed by a candidate desirous of appearing in the examination for the post of Civil Judge (Junior Division) shall be calculated from the date of their provisional enrolment or registration with the concerned State Bar Council".

Amendment of rule 7

4. in the said rules, in rule 7,

(i) the words "or duration", appearing after the word "nature" and before the word "of" shall be omitted;

(ii) after the second sentence and before the third or last sentence, the following sentence shall be inserted, namely:-

"The candidates appointed to the post of Civil Judge (Junior Division) pursuant to their selection through the examination shall undergo a minimum of 1 (one) year of training before presiding in a Court" .

BY ORDER AND IN THE NAME OF THE GOVERNOR.

Thinley P. Chankapa, SCS
ADDITIONAL SECRETARY TO THE GOVERNMENT
DEPARTMENT OF PERSONNEL

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